

**AN ORDINANCE  
BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AN ORDINANCE TO AMEND CHAPTER 1, SECTION 1-8, AND CHAPTER 10, ARTICLE II, DIVISION 2, SUBDIVISION III, SECTION 10-109 (D) OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO INCREASE THE MAXIMUM FINE IMPOSED FOR EACH VIOLATION RELATING TO THE SALE OF ALCOHOLIC BEVERAGES BY THE DRINK FOR CONSUMPTION ON THE PREMISES; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 1-8 of the City of Atlanta ("City") Code of Ordinances sets forth the general penalty for violations of the Code of Ordinances; and

**WHEREAS**, Section 10-109 of the City Code of Ordinances prescribes the standards to regulate and control the licensing and sale of alcoholic beverages; and

**WHEREAS**, pursuant to Section 10-109 (d) of the City Code of Ordinances, in lieu of suspending, revoking, or refusing to renew a license, the Mayor may impose a fine upon any licensee in an amount not to exceed \$1000.00 for each violation occurring upon the licensed premises; and

**WHEREAS**, in March 2006, the General Assembly adopted House Bill 1501 which increases the maximum fine for violation of local alcoholic beverages licensing ordinances relating to the sale of alcoholic beverages by the drink for consumption on the premises to \$2500.00; and

**WHEREAS**, in light of the General Assembly's adoption of House Bill 1501, the Mayor desires to increase the maximum fine for each violation of the alcoholic beverages licensing ordinances pertaining to the sale of alcoholic beverages by the drink for consumption on the premises, from \$1,000.00 to \$2,500.00.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:**

**SECTION 1:** That Chapter 1, Section 8 (c) of the City of Atlanta Code of Ordinances which reads:

(c) Except as otherwise provided, a person convicted of a violation of this Code shall be punished by a fine not exceeding \$1,000.00, imprisonment for a term not exceeding six months or work on the public streets or on public works of the city for not more than six months, or any combination thereof. With respect to violations of this Code that are continuous with respect to time, each day the violation continues is a separate offense

be hereby amended to read as follows:

(c) Except as otherwise provided:

(1) A person convicted of a violation of this Code shall be punished by a fine not exceeding \$1,000.00, imprisonment for a term not exceeding six months or work on the public streets or on public works of the city for not more than six months, or any combination thereof. With respect to violations of this Code that are continuous with respect to time, each day the violation continues is a separate offense.

(2) Notwithstanding the provisions in subsection (1), in lieu of suspension, revocation or the failure to renew, the mayor may impose a fine upon any licensee holding a license to sell alcoholic beverages for on- premise consumption, such fine not to exceed \$2,500.00 for each violation of the alcoholic beverages licensing ordinances.

**SECTION 2:** That Chapter 10, Article II, Division 2, Subdivision III, Section 10-109 (d) of the City of Atlanta Code of Ordinances which reads:

(d) The license review board shall conduct the hearings and report its conclusions and recommendations to the mayor. The mayor, upon receiving the report, may deny applications for new licenses or for transfer of location or transfer of ownership and may revoke, suspend or refuse to renew any license. In lieu of suspension, revocation or the failure to renew, the mayor may impose a fine upon any licensee, such fine not to exceed \$1,000.00 for each violation occurring on the licensed premises.

be hereby amended to read as follows:

(d) The license review board shall conduct the hearings and report its conclusions and recommendations to the mayor. The mayor, upon receiving the report, may deny applications for new licenses or for transfer of location or transfer of ownership and may revoke, suspend or refuse to renew any license. In lieu of suspension, revocation or the failure to renew, the mayor may impose a fine upon any licensee holding a license to sell alcoholic beverages for on- premise consumption, such fine not to exceed \$2,500.00 for each violation. For each violation pertaining to other licenses issued pursuant to this chapter, the mayor may impose a fine in an amount not to exceed \$1000.00 in lieu of suspension, revocation or the failure to renew occurring on the licensed premises.

**SECTION 3:** That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Simone D. Brathwaite 

Contact Number: x 6310

Originating Department: Mayor's Office

Committee(s) of Purview: Public Safety and Legal Administration Committee

Council Deadline: June 12, 2006

Committee Meeting Date(s): June 27-28, 2006 Full Council Date: July 3, 2006

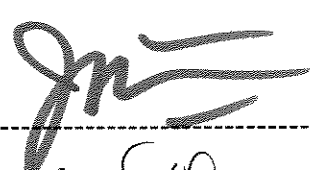
Commissioner Signature 



**CAPTION**

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FINANCIAL IMPACT:

Mayor's Staff Only

 **DCOS**

Received by Mayor's Office: 6.13.06  Reviewed by: 6.13.06   
(date) (date)

Submitted to Council: \_\_\_\_\_  
(date)